

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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ELECTRONICALLY FILED  
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DATE FILED: 8/19/08

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ZALIMA KHAN,

Plaintiff,

-against-

AMERICAN MUSEUM OF NATURAL HISTORY,

Defendant.  
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: 08 Civ. 3794 (LAP) (AJP)

: **RULE 16 SCHEDULING ORDER**

**ANDREW J. PECK, United States Magistrate Judge:**

Pursuant to Rule 16, Fed. R. Civ. P., IT IS HEREBY ORDERED THAT:

1. The Court is in receipt of defendant's partial motion to dismiss. Accordingly, discovery shall go forward on the claims not subject to the motion, that is, discovery will go forward limited to plaintiff's claim that defendant failed to hire her for other positions in August 2006. (Discovery relating to the 2003 termination is stayed until decision on defendant's partial motion to dismiss.)

2. All fact and expert discovery must be completed by November 21, 2008. Expert reports (if any) must be served by November 3, 2008. Mandatory initial disclosure pursuant to Rule 26(a)(1), Fed. R. Civ. P., is due September 12, 2008.

3. Each party will notify this Court (and the District Judge) by November 25, 2008 as to whether it intends to move for summary judgment and, if required by the District Judge's chamber rules, request a pre-motion conference. Assuming pre-motion clearance has been obtained from the District Judge where required, summary judgment motions must be

filed by December 19, 2008 if no date was set by the District Judge or, if a date was set by the District Judge, in accordance with the schedule set by the District Judge, and must comply with the Federal Rules of Civil Procedure, the Local Rules of this Court, and the chamber rules of the District Judge to whom this case is assigned (including any pre-motion conference requirements of the District Judge).


4. The parties are to submit a joint proposed pretrial order, in conformance with the Federal Rules of Civil Procedure, the Local Rules of this Court, and the chamber rules of the District Judge to whom this case is assigned, by December 19, 2008 if neither party is moving for summary judgment, or 30 days after decision on the summary judgment motion. The case will be considered trial ready on 24-hours notice after the pretrial order has been submitted.

5. A status conference will be held before the undersigned on September 24, 2008 at 9:30 a.m. in Courtroom 20D (500 Pearl Street).

6. The parties are directed to follow the "Individual Practices of Magistrate Judge Andrew J. Peck," a copy of which is enclosed.

SO ORDERED.

DATED: New York, New York  
August 19, 2008

  
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**Andrew J. Peck**  
United States Magistrate Judge

Copies to: Zalima Khan (Regular & Certified Mail)  
Diane Windholz, Esq. (Fax)  
Judge Loretta A. Preska